

UNITED STATES DISTRICT COURT DISTRICT OF NEVADA

Vincint T. Austin,)
Plaintiff, vs.) Case No.: 2:12-cv-1621-GMN-VCF
United States Social Security Administration,	ORDER
Defendant.))
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Pending before the Court is the Report and Recommendation ("R&R") of United States Magistrate Judge Cam Ferenbach, to which no objections have been filed. (ECF No. 4).

On September 14, 2012, an individual named Karen Banks filed a Complaint and Motion to Proceed *in forma pauperis*, purportedly on behalf of Plaintiff Vincint T. Austin. (ECF No. 1). Judge Ferenbach's R&R was entered on October 25, 2012, and recommended denial of the Motion because it erroneously included Ms. Banks' financial information rather than Plaintiff's. (R&R 2:15-25, ECF No. 4). After clarifying that Ms. Banks could not represent Plaintiff *pro se*, Judge Ferenbach recommended that Plaintiff be given an additional sixty days to correct the deficiencies identified therein. (R&R 8:4-7).

A party may file specific written objections to the findings and recommendations of a United States Magistrate Judge made pursuant to Local Rule IB 1-4. 28 U.S.C. § 636(b)(1)(B); D. Nev. R. IB 3-2. Upon the filing of such objections, the Court must make a de novo determination of those portions of the Report to which objections are made. *Id.* The Court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the Magistrate Judge. 28 U.S.C. § 636(b)(1); D. Nev. IB 3-2(b).

Plaintiff did not file any objections to Judge Ferenbach's R&R, and the deadline to object has now expired. Accordingly, the Court finds good cause to accept and adopt the

findings of Judge Ferenbach. IT IS HEREBY ORDERED that the Report and Recommendation (ECF No. 4) is **ADOPTED** in its entirety. IT IS FURTHER ORDERED that Plaintiff's Motion for Leave to Proceed in forma pauperis (ECF No. 1) is **DENIED without prejudice**. IT IS FURTHER ORDERED that Plaintiff shall have leave to file an Amended Motion and attached Complaint on his own behalf within sixty (60) days from the entry of this order. Failure to file by this deadline will result in dismissal of this action without prejudice. **DATED** this 6th day of October, 2014. Gloria M. Navarro, Chief Judge United States District Court